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Dec 23 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. Hori et al.

Serial No.: 09/988,994

Filed: November 21, 2001

For: IMAGE PROCESSING APPARATUS AND METHOD

Art Unit: 2615 **RECEIVED**

Examiner: B. Genco DEC 23 2002

Technology Center 2600

REQUEST AFTER FINAL REJECTION FOR CORRECTED OFFICE
ACTION SETTING THREE-MONTH SHORTENED STATUTORY PERIOD
FOR RESPONSE AND RESTARTING OF PERIOD FOR RESPONSE

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

December 19, 2002

Sir:

The final Office Action dated December 11, 2002, in connection with the above-identified application is acknowledged.

On page 1 (the Office Action Summary) of the Office Action of December 11, 2002, the Examiner has set a two-month shortened statutory period for response. However, it is submitted that the two-month shortened statutory period for response is incorrect because the Office Action of December 11, 2002, is an Office Action on the merits for which the Examiner was required to set a three-month shortened statutory period for response pursuant to MPEP 710.02(b) (Eighth Edition, August 2001, page 700-121).

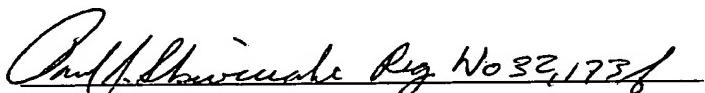
Accordingly, it is respectfully requested that the Examiner issue a corrected Office Action setting a three-month shortened statutory period for response and restarting the period for response pursuant to MPEP 710.06 (Eighth Edition, August 2001, page 700-129) which provides as follows in pertinent part:

Where the citation of a reference is incorrect or an Office action contains some other defect and this error is called to the attention of the Office within 1 month of the mail date of the action, the Office will restart the previously set period for reply to run from the date the error is corrected, if requested to do so by applicant.

It is respectfully requested that the Examiner issue the corrected Office Action as soon as possible, but in any event, before the due date of February 11, 2003, for filing a response set in the Office Action of December 11, 2002.

Respectfully submitted,

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